



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:

Michael Kozhukh

Serial No.: 09/842,935

Filed: April 26, 2001

For: Highly Reflective
Optical Components

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Art Unit: 2872

Examiner: Audrey Chang

Atty Docket: ITL.0561-US
P11332

TECHNOLOGY CENTER 2800
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Box AF
Commissioner for Patents
Washington, DC 20231

REPLY TO FINAL REJECTION

Sir:

In response to the final rejection mailed September 18, 2002, reconsideration is requested in view of the following remarks.

REMARKS

The Section 112 objection to claim 4 is maintained. However, claim 1 makes it clear that the absorbing layer is over the reflective layer and claim 4 makes it clear that the reflective layer formed of silver is covered by an insulator. It does not matter, according to the claim, what the relative positions are of the insulator and the absorbing layer. The claim is broad enough to cover any combination of stacks of such materials. Thus, the claim cannot be indefinite just because it is broad. There is nothing indefinite about simply stating what the relative positions of the various elements are and leaving the restrictions out without respect to other elements. One skilled in the art can determine whether they infringe by determining whether they have the layers and the layers are in the orientations claimed.

Further, it appears that the objection to the use of the word "about" in claims 1 and 8 has been maintained despite the citation of an explicit section from the M.P.E.P., stating that the use

Date of Deposit: October 8, 2002

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, Washington DC 20231.

Cynthia L. Hayden
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